

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

AGIS SOFTWARE DEVELOPMENT LLC

Plaintiff,

v.

WAZE MOBILE LIMITED,

Defendant.

CIVIL ACTION NO. 2:19-cv-00359-JRG

Filed Under Seal

AGIS SOFTWARE DEVELOPMENT LLC

Plaintiff,

v.

GOOGLE LLC,

Defendant.

CIVIL ACTION NO. 2:19-cv-00361-JRG

AGIS SOFTWARE DEVELOPMENT LLC

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
and SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

CIVIL ACTION NO. 2:19-cv-00362-JRG

DECLARATION OF SHANNON SHAPER

I, Shannon Shaper, state and declare as follows:

1. I am a People Analytics Manager at Google LLC (“Google”). I have been a Google employee since 2007. I work in Mountain View, California.
2. I submit this declaration on my knowledge of the corporate structure of Google and Waze Mobile Limited (“Waze”), and my investigation into facts relating to multiple complaints that I understand were filed on November 4, 2019 by Plaintiff AGIS Software Development (“AGIS”) against Google, Waze, and Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (“Samsung”).
3. I understand that the applications that may be at issue in the above-captioned cases against Google and Samsung are Google Maps for Mobile (“GMM”), Find My Device, Google Hangouts, Google Plus, Android Messenger, and Google Messages. I am aware of no Google product named Android Messenger or Google Messages, but I am aware of a Google product named Messages. For purposes of my investigation, I have investigated the location of witnesses and evidence related to GMM, Find My Device, Messages, Google Hangouts, Google Plus (collectively “Accused Google Applications”), and the Waze mobile application.
4. Google’s predecessor, Google Inc., was incorporated in Delaware. Google has since converted to an LLC, but remains registered in Delaware.
5. Google has been headquartered in Northern California since its founding in 1998. It has been headquartered in Mountain View, California since 2003. In 2007, Google opened its first office in San Francisco, California.
6. Google’s Mountain View headquarters, which includes offices in neighboring Sunnyvale (collectively referred to as Mountain View herein), is the strategic center of Google’s business.

Google's Mountain View headquarters and its other offices in Northern California (including its San Francisco and San Bruno offices) house thousands of employees making up over 40% of Google's total worldwide employees, including engineers, product managers, executives, and staff, particularly those performing work related to the Accused Google Applications and the Waze mobile application.

7. Many decisions related to Google's overall business, including the most significant design and engineering decisions related to the Accused Google Applications, involve managers and leads who work in Mountain View, California.
8. According to Google's investigation, most engineers and managers with relevant knowledge regarding GMM are based in or around Mountain View, California, including those responsible for Location Sharing. In particular, I have been informed and understand that at least the following individuals have knowledge regarding the design, development, and operation of Location Sharing in GMM used on Android mobile devices:

- [REDACTED] based in Mountain View, California.
- [REDACTED] his team of engineers working in the Mountain View, California office responsible for Google Location Sharing functionality.

9. Additionally, according to Google's investigation, the development of Find My Device was performed by engineers based in or around Mountain View, California, including [REDACTED]

[REDACTED]

[REDACTED] I have been informed and understand that, in

2019, responsibilities for maintaining Find My Device were transferred to a team in London, but that team's development has not involved the introduction of significant new features. The team in London has collaborated with the engineers in Mountain View, California, who developed Find My Device and has focused on back-end migrations of Find My Device. [REDACTED] continues to work on Find My Device and remains based in Mountain View, California.

10. Additionally, according to Google's investigation, engineers and managers with relevant knowledge regarding the Messages application are based in or around Mountain View, California. In particular, I have been informed and understand that [REDACTED] is located in San Francisco, California, and manages a team of product managers based in Mountain View, San Francisco, and Kirkland, Washington. Engineers responsible for various features related to Messages are located in Google's Mountain View, California, and Kirkland, Washington, offices.

11. Additionally, according to Google's investigation, engineers and managers with relevant knowledge regarding the Google Hangouts application are based in or around Mountain View, California. In particular, I have been informed and understand that [REDACTED] on Android until November 2019 is located in Google's Sunnyvale, California office. The team currently responsible for the development of Google Hangouts on Android is based in Sunnyvale, California.

12. Additionally, according to Google's investigation, engineers and managers with relevant knowledge regarding the Google Plus application are based in or around Mountain View, California. In particular, I have been informed and understand that [REDACTED]

[REDACTED] through the shutdown for consumer accounts in April 2019 and is located in Google's Sunnyvale, California office.

13. I am currently aware of no Google employees with relevant knowledge regarding the Accused Google Applications residing or working in the Eastern District of Texas.

14. Google acquired Waze in June 2013. As of that time, the Waze employees responsible for the Waze mobile application became Google employees. According to Google's investigation, the employees responsible for the Waze mobile application are located primarily in Israel, New York, and Northern California. [REDACTED]

[REDACTED]

[REDACTED]

15. I am currently aware of no employees responsible for the Waze mobile application in Texas.

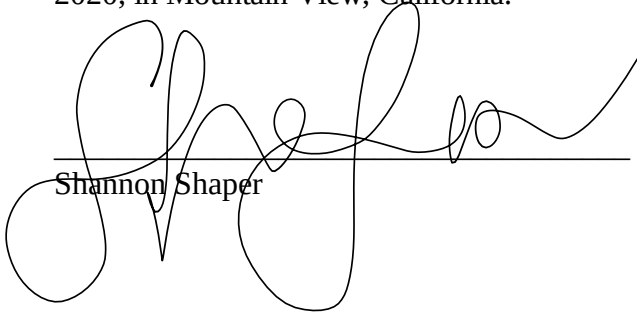
16. As a matter of Google practice, documents in Google's possession about its products and services are normally created and maintained by the employees working on those products and services. As discussed above, the employees with relevant knowledge of the Accused Google Applications are located primarily in or around Mountain View, California, and no such employees are in the Eastern District of Texas. Additionally, the employees with relevant knowledge of the Waze mobile application are located primarily in Israel, New York, and Northern California.

17. Google and Waze do not maintain an office in the Eastern District of Texas, which I understand includes the counties identified on the Eastern District of Texas' website (<http://www.txed.uscourts.gov/court-locator>). Accordingly, Google and Waze have no employees who work at any Google office in the Eastern District of Texas, including those

involved in the design, development or management of the Accused Google Applications or the Waze mobile application.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 15,

2020, in Mountain View, California.


Shannon Shaper